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Remarks

In the Office Action of June 19, 2003, the Examiner objected to claim 17 for informalities. Further, claims 1-5, 7, 9-11, 13, 15-21, 23, and 25-30 were rejected as being unpatentable under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,041,116 of J.D. Meyers (hereafter referred to as Meyers). Finally, claims 6, 8, 12, 14, 22, 24, and 31 were rejected under 35 U.S.C. §103 as unpatentable over Meyers in view of U.S. Patent No. 6,088,428 of D. Trandal, et. al (hereafter referred to as Trandal). Claims 11 and 17 are being amended.

Claim 17 is being amended as suggested by the Examiner to overcome the informalities. Claim 11 is being amended to correct a typographical error.

Claim 1 was rejected as being anticipated under 35 U.S.C. §102(b) by Meyers. This rejection is respectfully rejected.

The Office Action states "detecting speech or tones in received audio information analyzing using automatic speech recognition the received audio information for words in response to the detection of speech (col. 4, line 57 - col. 5, line 45; voice and answering machine message); and analyzing using automatic speech recognition the received audio information for tones in response to the detection of tones (col. 4, line 57 - col. 5, line 6; tones)...." However, the words "automatic speech recognition" or "speech recognition" do not appear any where in Meyers. The Office Action apparently equates automatic voice detection with automatic speech recognition since only voice detection is mentioned in Meyers; but automatic speech recognition and automatic voice detection are very different operations as is well known to those skilled in the art. Meyers does disclose "Additionally, call parameters database 46 contains parameters for each country which are used to determine whether the

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detected voice is from an answering machine or a live human. Answering machine detection is performed by analyzing the duration of the first speech segment and the first subsequent silence segment received from the outbound trunk. For example, a long silence segment (such as "Hello . . .") can indicate a live human voice because nothing follows the initial "Hello." Similarly, a short silence segment (such as "Hello you have reached") can indicate an answering machine. Telephone answering characteristics vary from country to country such that accurate detection of an answering machine or a live human voice requires a unique set of detection parameters for each country." (See Column 5, lines 26-44.) This method disclosed in Meyers does not teach, suggest or require automatic speech recognition but rather uses the well known technique of detecting the length of voice periods and silence periods to determine whether the call has been answered by a person or an answering machine. The words of the voice are not determined as in automatic speech recognition but just the presence of voice information (voice detection as recited in Column 5, line 5) in relation to the silence. (See also Column 8, lines 1-25.) Meyers discloses that tones and answering machines are detected by using cadence techniques (Column 8, lines 1-25). Cadence techniques for detection of answering machines and tones are well known to those skilled in the art. Hence, Meyers simply does not disclose or suggest the use of automatic speech recognition for processing voice information let alone for processing tone information as recited in claim 1.

In view of foregoing, applicants respectfully submit that claim 1 is patentable over Meyers under 35 U.S.C. §102(b).

Claims 2-5, 7, and 9 were rejected under 35 U.S.C. §102(b) as unpatentable over Meyers, and claims 6, 8 and 10 were rejected under 35 U.S.C. §103 in view of Meyers and Trandal. Applicants respectfully

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submit that claims 2-10 are directly or indirectly dependent on claim 1 and are patentable for at least the same reasons as claim 1.

Claims 11, 13, 15, and 16 were rejected under 35 U.S.C. §102(b) as unpatentable over Meyers, and claims 12 and 14 were rejected under 35 U.S.C. §103 in view of Meyers and Trandal. Applicants respectfully submit that amended claim 11 and claims 12-16 are patentable for the same reasons as set forth with respect to claims 1-10.

Claims 17-21, 23, 25, and 26 were rejected under 35 U.S.C. §102(b) as unpatentable over Meyers, and claims 22 and 24 were rejected under 35 U.S.C. §103 in view of Meyers and Trandal. Applicants respectfully submit that amended claim 17 and claims 22-26 are patentable for the same reasons as set forth with respect to claims 1-10.

Claims 27-30 were rejected under 35 U.S.C. §102(b) as unpatentable over Meyers, and claim 31 was rejected under 35 U.S.C. §103 in view of Meyers and Trandal. Applicants respectfully submit that claims 27-31 are patentable for the same reasons as set forth with respect to claims 1-10. Further, applicants point out that claim 27 also recites an "inference engine" which is not disclosed or suggested by Meyers.

Although the foregoing is believed to be dispositive of the issues in the application, if the Examiner believes that a telephone interview would advance the prosecution, the Examiner is invited to call

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applicants' attorney at the telephone number listed below.

Respectfully,

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